

STATE OF HAWAII
REQUEST FOR EXEMPTION FROM CHAPTER 103F, HRS

To: Chief Procurement Officer

'03 OCT -8 A11 :49

From: Defense
Department/Division/Agency

Pursuant to § 103F-101(a)(4), HRS, and Chapter 3-141, HAR, the Department requests a procurement exemption to purchase the following:

Title and description of health and human service(s):
Operation About Face
 About Face is a year-round program for in-school and out-of-school older youth that would leverage the resources of the Kaua'i Workforce Investment Board (KWIB) and the Hawaii National Guard (HING). The program will deliver an after-school and year round training program for In-School Youth designed to improve academic performance, develop life skills, assure employability, provide effective case management, set up work experience opportunities and involve mentors. The program will serve Out-of-School Older Youth in a Career Placement Academy that will first provide work readiness and occupational skills training, the work experience, with placement into unsubsidized employment that is supported with ongoing case management.

Provider Name: The Paxen Group, Incorporated	Total Contract Funds: \$255,920.00	Term of Contract: From: To: Sep 1, 2003 Jun 30, 2004 10/9/03 _{MS}
Provider Address: 4444 Rice Street, Room 303 Lihue, Kauai, Hawaii 98766	Contract Funds per Year (as applicable): \$255,920.00	

Explanation describing how procurement by competitive means is either not practicable or not advantageous to the State:

The Department of Defense was awarded a contract from the County of Kauai based on the proposal submitted to incorporate the use of Operation About Face (About Face) to deliver services to a targeted group of youth on Kauai. About Face is a program specifically designed for the National Guard Bureau (NGB) to conduct an after-school and year-round program customized to meet the youth elements, core performance outcomes, and goals contained in the Workforce Investment Act of 1998 (WIA). The Paxen Group, Incorporated (Paxen) was contracted by NGB to design the About Face program to meet the funding requirements of WIA and Temporary Assistance for Needy Families (TANF). Competitive procurement to purchase the services to conduct the program other than the designed About Face will not be practicable or advantageous to the State for the following reasons:

1. Paxen has been the delivery agent for NGB for About Face for the past seven years.
2. The curriculum has been tested and improved upon in five different states and fourteen cities successfully by Paxen.
3. There is no other organization that can provide in-depth knowledge of the About Face curriculum in the time allotted.
4. Paxen will also be able to implement an effective delivery that will include staff training, monitoring, and the unique payroll mechanisms for both the staff and participants receiving incentive pay.
5. As a tested delivery agent for NGB, Paxen will be able to leverage the resources of the National Guard such as armory facilities and National Guard mentors which other providers will not have access to without a separate agreement with NGB or for compensation. Any compensation will reduce the amount available to the program.
6. Without an approved NGB agent, the provider will not receive National Guard mentors. Paxen

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includes the daily role mode and career exploration interaction with Guard personnel that is so valuable for these impressionable young people. NGB has approved the use of the Guard for About Face.
7. Without NGB support, the State will not be able to execute this contract with the budgeted amount and the State will have to return the funds to the Federal WIA program.

Details of the process or procedure to be followed in selecting the service provider to ensure maximum fair and open competition as practicable:
The Paxen Group, Inc (Paxen) is the agent for NGB to deliver the About Face program and open competition will not be practicable based on the reasons stated in the latter section.

A description of the state agency's internal controls and approval requirements for the exempted procurement:
The department internal controls and approval requirements for the exempted procurement are as follows:

1. The requirements to execute the mission is identified by the operating division and approved for content and relativity.
2. The Contracting Officer certifies the appropriateness of the request.
3. The Fiscal Officer certifies to the method of funding and the availability of funds.
4. The Adjutant General approves the request to contract.
5. The Contracting Officer negotiates and prepares the contract.
6. The contract is reviewed and signed by the vendor.
7. The contract is reviewed by department's Deputy Attorney General.
8. The contract funds are certified as to funds by the Fiscal Officer and the forwarded to DAGS to encumber the contract amount.
9. The Deputy Adjutant General signs the contract and the Contracting Officer makes the distribution.

A list of state agency personnel, by position title, who will be involved in the approval process and administration of the contract:

Major General Robert G. F. Lee, Adjutant General
Colonel Gary M. Ishikawa (Retired), Deputy Adjutant General
Thomas T. Moriyasu, Fiscal Officer
Major Neal S. Mitsuyoshi, Contract & Engineering Officer
Michael S. Vincent, Deputy Attorney General
Colonel Theodore A. Daligdig (Retired), Battalion Admin Assist

Direct questions to (name & position):

Phone number:

e-mail address:

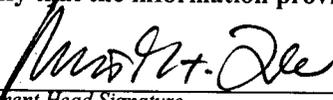
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This exemption should be considered for list of exemptions attached to Chapter 3-141, HAR: Yes No

I certify that the information provided above is to the best of my knowledge, true and correct.



Department Head Signature

10/8/03

Date

Major General Robert G. F. Lee

Typed Name

Adjutant General

Position Title

Chief Procurement Officer's Comments:

Approval is from date of approval. In the future, when applying for grants for which a request for exemption from Chapter 103F, HRS may be necessary, the request should be made prior to applying for the funds in the event the contract is not appropriate for an exemption. Loss of grant funds that result from lack of advance planning is not a basis for granting an exemption."

Please ensure adherence to applicable administrative requirements.

Approved Denied



Chief Procurement Officer

10/9/03

Date

cc: Administrator
State Procurement Office